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UNCLAS SECTION 01 OF 04 STATE 133293

SENSITIVE
SIPDIS
USUN FOR GERMAIN AND KUJAWINSKI

E.O. 12958: N/A
TAGS: PREL UNSC IZ
SUBJECT: GUIDANCE: VOTING INSTRUCTION ON DFI RESOLUTION,
TEXT FOR REMARKS

1.(SBU)This is an action request. USUN is to vote in favor of adoption of a UNSC resolution to extend arrangements and immunities associated with the Development Fund for Iraq (DFI), Iraq's oil and gas exports, and revenues, so long as text does not change substantively from that in para ¶2. If text varies substantively, USUN is to request further instructions. Suggested talking points for use by USUN following adoption are contained in para 3.

¶2. (SBU) Begin Resolution text:

The Security Council:

PP1. Welcoming the efforts of the democratically elected, constitutionally based, national unity Government of Iraq in fulfilling its detailed political, economic, and security programme and national reconciliation agenda, and encouraging in that regard the holding of inclusive and peaceful provincial elections,

PP2. Recalling all of its previous relevant resolutions on Iraq,

PP3. Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq and reaffirming further the importance of the principle of non-interference in the internal affairs of Iraq,

PP4. Noting the progress that is taking place in Iraq, particularly in achieving security and stability, and in strengthening the armed forces and other Iraqi security forces, and noting likewise Iraq's progress in the political and economic fields,

PP5. Welcoming the continuing work of the Government of Iraq towards a federal, democratic, pluralistic and unified Iraq, in which there is full respect for human rights,

PP6. Noting the Government of Iraq's progress in pursuing an atmosphere in which sectarianism is totally rejected, underscoring the importance of inclusive political dialogue and national reconciliation,

PP7. Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work for the benefit of the people of Iraq, and expressing appreciation for Member State contributions in this regard under resolution 1483 (2003), resolution 1511 (2003), resolution 1546 (2004), resolution 1637 (2005), resolution 1723 (2006), and resolution 1790 (2007),

PP8. Recognizing also that Iraq is still in need of regional and international support so that it can continue to make progress, so that its people can flourish and

prosper in peace,

PP9. Welcoming continuing progress under the International Compact with Iraq, an initiative of the Iraqi Government that has created a new partnership with the international community and is building a strong framework for Iraq's continued political, economic and security transformation and integration into the regional and global economy, as confirmed in the Stockholm Declaration on 29 May 2008, and welcoming also the important role that the United Nations is playing by jointly chairing the Compact with the Government of Iraq,

PP10. Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI), and affirming that the United Nations should continue to play a leading role in supporting the efforts of the Iraqi Government to strengthen institutions for representative government, promote political dialogue and national reconciliation, engage neighboring countries, assist vulnerable groups, including refugees and internally displaced persons, and promote the protection of human rights and judicial and legal reform in accordance with resolution 1770 (2007) and resolution 1830 (2008),

PP11. Calling upon the international community, particularly countries in the region and Iraq's neighbors,

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to support the Iraqi people in their pursuit of peace, stability, security, democracy and prosperity, welcoming the Expanded Neighbors' Conferences held in Sharm El-Sheikh, Istanbul and Kuwait and their role in supporting the efforts of the Government of Iraq to achieve security and stability in Iraq, and the positive results thereof on regional and international peace and security, welcoming also the fact that the Expanded Neighbors' Conference, held in Kuwait on 22 April 2008 approved the terms of reference of the support mechanism, and noting that the successful implementation of this resolution will contribute to regional stability,

PP12. Noting the letter from the Prime Minister of Iraq to the President of the Security Council, dated 7 December 2008, which is annexed to this resolution, welcoming the Prime Minister's affirmation of Iraq's commitment to living in peace with its neighbors in a manner that contributes to the security and stability of the region, and recognizing the expiration of the mandate of the multinational force at the end of 31 December 2008,

PP13. Recognizing the positive developments in Iraq and that the situation now existing in Iraq is significantly different from that which existed at the time of the adoption of resolution 661 (1990), and further recognizing the importance of Iraq achieving international standing equal to that which it held prior to the adoption of resolution 661 (1990),

PP14. Recognizing that the letter from the Prime Minister of Iraq also reaffirms the commitment by the Government to resolve the debts and settle the claims inherited from the previous regime, and to continue to address those debts and claims until they are resolved or settled, and requests the continued assistance of the international community, as the Government of Iraq works to complete this process,

PP15. Recognizing the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board, and the provisions of paragraph 22 of resolution 1483 (2003) in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and accountably for the benefit of the Iraqi people, and recognizing also the need for Iraq during 2009 to transition to successor arrangements for the

Development Fund for Iraq and the International Advisory and Monitoring Board, to include the Committee of Financial Experts,

PP16. Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further reaffirming the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international conventions with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

PP17. Recognizing that the Government of Iraq will continue to have the leading role in coordinating international assistance to Iraq and reaffirming the importance of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

PP18. Acting under Chapter VII of the Charter of the United Nations,

OP1. Decides to extend until 31 December 2009 the arrangements established in paragraph 20 of resolution 1483 (2003) for the depositing into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board and further decides that, subject to the exception provided for in paragraph 27 of resolution 1546 (2004), the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply until that date, including with respect to funds and financial assets and economic resources described in paragraph 23 of that resolution;

OP2. Decides further that the provisions in the above paragraph for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board and the

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provisions of paragraph 22 of resolution 1483 (2003) shall be reviewed at the request of the Government of Iraq or no later than 15 June 2009;

OP3. Requests the Secretary-General to report to the Council on a quarterly basis, with the first briefing no later than 31 March 2009 and with a written report on a semiannual basis, on the activities of the Development Fund for Iraq and the International Advisory and Monitoring Board, including on progress made in strengthening financial and administrative oversight of the Development Fund for Iraq and on progress made in transitioning to successor arrangements for the Development Fund for Iraq and the International Advisory and Monitoring Board, to include the Committee of Financial Experts;

OP4. Encourages the International Monetary Fund and the World Bank, as members of the International Advisory and Monitoring Board, to brief the Council in January 2009;

OP5. Decides to review resolutions pertaining specifically to Iraq, beginning with the adoption of resolution 661 (1990), and in that regard requests the Secretary General to report after consultations with the Government of Iraq, on facts relevant to consideration by the Council of actions necessary for Iraq to achieve international standing equal to that which it held prior to the adoption of such resolutions,

OP6. Decides to remain actively seized of the

matter.

End text.

13. (SBU) Begin suggested remarks:

The United States welcomes the adoption of this critical resolution extending the arrangements related to the Development Fund for Iraq. This action clearly demonstrates that the Security Council recognizes the tremendous progress that Iraq has achieved. Furthermore, it secures the Iraqi Government's ability to use its resources to engage in vital activities that will safeguard the future of the Iraqi people.

The extension of immunities for Iraq's funds will provide Iraq additional time to resolve the debts and settle the claims inherited from the previous regime. The United States looks forward to Iraq taking the necessary steps to address those debts and claims.

While it is imperative that Iraq receive the sustained support of the international community - we must also recognize that Iraq has become increasingly capable, democratic, and stable. The Iraqi government and the Iraqi people can take great pride in the progress that has been made. 2008 has been a year of significant achievement for Iraq -- not only in the security sector, but also in the political and economic fields, in rule of law, reconstruction, and productive, positive engagement with neighbors and the international community.

Iraq's responsible actions - at home and abroad - from the passage of key legislation and work toward national reconciliation. . . to the fruitful participation in the Neighbors' process and the International Compact with Iraq - tangibly demonstrate Iraq's progress and the need for rapid and complete reintegration into the community of nations.

Adoption of Resolution [####] today sends an important signal that the Council is firmly committed to reviewing resolutions that pertain specifically to Iraq.

Circumstances in Iraq have fundamentally changed since many of these resolutions were first considered. Iraq today is significantly different than it was when Resolution 661 was adopted in 1990.

Today, the Government of Iraq is committed to working with its neighbors and others as a trusted and credible international partner. Therefore, a review regarding continuation of all outstanding Chapter VII resolutions specifically related to Iraq is justified; the time is ripe for a reconsideration of these outstanding resolutions based upon current facts.

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The United States looks forward to the Secretary General's report on relevant facts and the Council's swift consideration of actions to return Iraq to its rightful place in the community of nations. We are committed to working with the Council and with the Government of Iraq to restore that international standing as soon as possible.

End remarks.

RICE